



TOBINICK 3.009(CIP)(DEV II)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re patent application of: :
EDWARD L. TOBINICK

U.S. Serial No. 09/666,068 : Group Art Unit 1614

Filed: December 11, 2000 : Examiner William R. A. Jarvis

For: TNF INHIBITORS FOR THE :
TREATMENT OF NEUROLOGICAL, :
RETINAL AND MUSCULAR :
DISORDERS : September 10, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT

Sir:

This is in response to the first Office Action.

REMARKS

The Examiner has rejected Claims 50 to 65 and 100 under 35 U.S.C. §103 as being obvious over four (4) references. For the reasons stated herein, the claims patentably distinguish over the prior art. There are many TNF antagonists, and each of them is not effective for the same diseases in humans. In this case, applicant's claims cover only specific TNF antagonists, and none of the cited references teach the use of the specific TNF antagonists claimed for the disorders claimed.